



CITY OF HAYWARD AGENDA REPORT

Planning Commission

Meeting Date 03/25/99

Agenda Item 2

TO: PLANNING COMMISSION

FROM: James V. De Luz, Assistant Planner

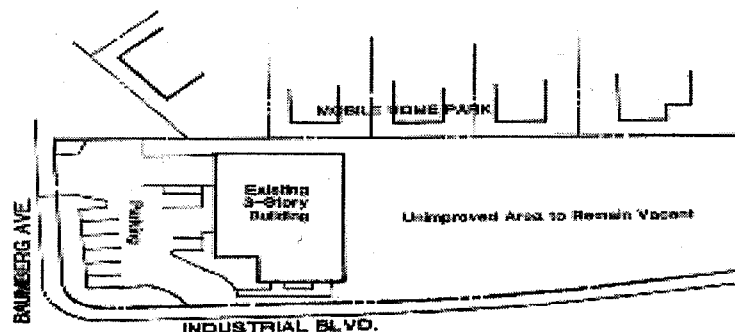
SUBJECT: Use Permit Application No. 99-160-02 – Timothy Higgins Quick Response Fire Systems, Inc. (Applicant/Owner) – Request to use an existing industrial building as a fire sprinkler contractor's office and warehouse. The property is located at 27910 Industrial Boulevard at the southeast corner of Industrial Boulevard and Baumberg Avenue, in an Industrial (I) District.

RECOMMENDATION:

It is recommended that the Planning Commission approve the use permit subject to the attached findings and conditions.

DISCUSSION:

The project site is located on a 35,759 square foot parcel at the corner of Industrial Boulevard and Baumberg Avenue. The northerly portion of the property is developed with a 7,363 square-foot, three-story building and the remainder of the site is unimproved. Properties to the south and west, across Industrial Boulevard, are zoned for and developed with industrial uses. Properties to the north across Baumberg Avenue are zoned Industrial District and are developed with nonconforming single-family residences. The Pueblo Springs Mobile Home Park, zoned Mobile Home Park (MH) District, lies to the east.



Background

The property was developed in 1979 with an industrial warehouse. A body shop operated at this location under a conditional use permit, which was revoked by City Council in 1995 due to non-compliance with the conditions of approval. Subsequently, the owner was forced to vacate the building through a court order. The applicant, Quick Response Fire Systems, purchased the property through a bank sale in November 1998, and proposes to use the building as a business office and warehouse.

Project Description

Although Quick Response has approximately 30 employees, only 6 to 8 will occupy the office in this building. The other employees will work off-site where they install fire sprinkler systems at various construction locations. However, the warehouse will be used as a staging area by these employees to load and unload sprinkler pipe, fittings and related sprinkler equipment that is used in the sprinkler installation. Access to the warehouse is provided on the north side of the building from the parking lot.

In order to ensure that the business is compatible with the neighboring residential uses, Quick Response proposes to operate during regular business hours from 7:00 A.M. to 5:00 P.M. Monday through Friday. All activities will be limited to the northern, improved portion of the site. A row of redwood trees will be planted along the easterly property line to provide a visual buffer between the parking lot and warehouse, which is 10 feet from the property line, and mobile homes. Exterior lighting will be designed to prevent spillage and glare on adjacent properties.

The building and site exhibit signs of deferred maintenance and disrepair. In addition to the interior improvements required by code, Quick Response proposes to clean the building exterior, paint the trim and install railings removed from the building over the years. A condition of approval will require that the building be color coated or painted in a color scheme approved by staff. The parking area will be improved by widening the planter adjacent to the Baumberg Avenue frontage, relocating the handicap parking space closer to the building entry area, and repairing and re-paving the asphalt. The existing landscaping will be refurbished as necessary but no landscape improvements are proposed for the undeveloped portion of the site. The 6 to 7-foot masonry wall adjacent to the mobile home park will remain. The temporary fence along Industrial Boulevard and the southerly property line will be replaced with a new 6-foot chain link fence to limit access to the vacant portion of the site and screen the property from the street. Conditions of approval will require that the fence be clad in black or dark green vinyl and incorporate redwood slats. A tall hedge will be required in front of the fence.

Quick Response is required to dedicate 9 feet of frontage along Baumberg Avenue and improve the Baumberg Avenue and Industrial Boulevard frontages of the entire site with curb, gutter, and sidewalk and tie-in pavement prior to occupancy of the building. This work entails preparation of a site drainage plan for the entire property, construction of a wheel chair ramp at the intersection of Baumberg Avenue and Industrial Boulevard, and installation of "No Parking" signs along the Industrial Boulevard frontage. The applicant has indicated that due to the cost constraints he wishes to defer the street improvements and frontage landscaping for a period of six months to one year. The City Engineer is requiring all street improvements at this time, as the criteria for deferment are not met. The Hayward Municipal Code Section 7-1.15 provides for a variance from the required street improvements where drainage is made worse or where it would be in the best interests of the City to require the work on an area basis rather than on an individual basis. Since drainage would be improved and street improvements are in place to the north and south of the site, a deferment cannot be granted. Requests for deferments by reason of extraordinary circumstances and undue hardship are made to the City Manager. Industrial Boulevard is identified in the City's Landscape Beautification Plan as a major arterial and gateway to the industrial area. Therefore, the street frontage landscaping is required at the time of street improvements and installation of the new fence.

General Plan/Neighborhood Plan Consistency

The General Plan designation for the property is Industrial Corridor. An industrial building occupied by a contractor's warehouse and offices conforms to the General Plan designation. The Glen Eden Neighborhood Plan under *Land Use and Zoning, Strategies*, states "*Minimize adverse impacts of industrial development on adjacent residential areas through consideration of buffer zones or other requirements (e.g. setbacks, landscaping, design).*" The proposed improvements together with the limitations on hours of operation and access to the warehouse are consistent with the neighborhood plan strategies.

Environmental Review

The project is exempt from environmental review as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15301, Class 1, existing Facilities, (a), (c), and (h) and a Notice of Exemption was filed March 12, 1999.

Public Notice

On March 12, 1999, a Notice of Public Hearing was mailed to every property owner and resident within 300 feet of the property as noted on the latest assessor's records, and to former members of the Glen Eden Task Force.

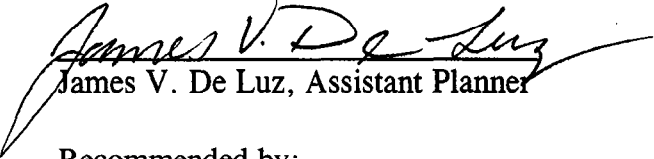
Staff contacted the Pueblo Springs Mobile Home Park management to determine if park residents were interested in discussing the project with the applicant and staff. The park

manager indicated that the residents declined. Their only concern was with barking guard dogs at the property. One park resident contacted staff to request that the property be cleaned-up prior to occupancy of the building. A condition of approval will require that the site be cleared of debris.

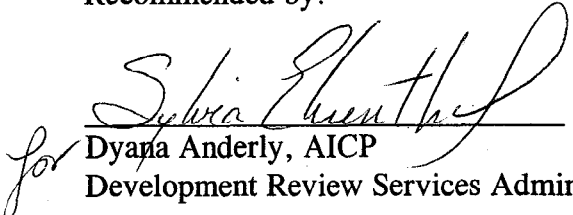
Conclusion:

The building appears to accommodate the applicant's needs for warehousing and office activity quite well, and because the applicant is a specialized contractor the installation of the actual fire systems is conducted at the construction job site where the majority of the applicant's employees are also employed. Given the conditions imposed to ensure compatibility with surrounding residential uses staff recommends approval of the use permit.

Prepared by:

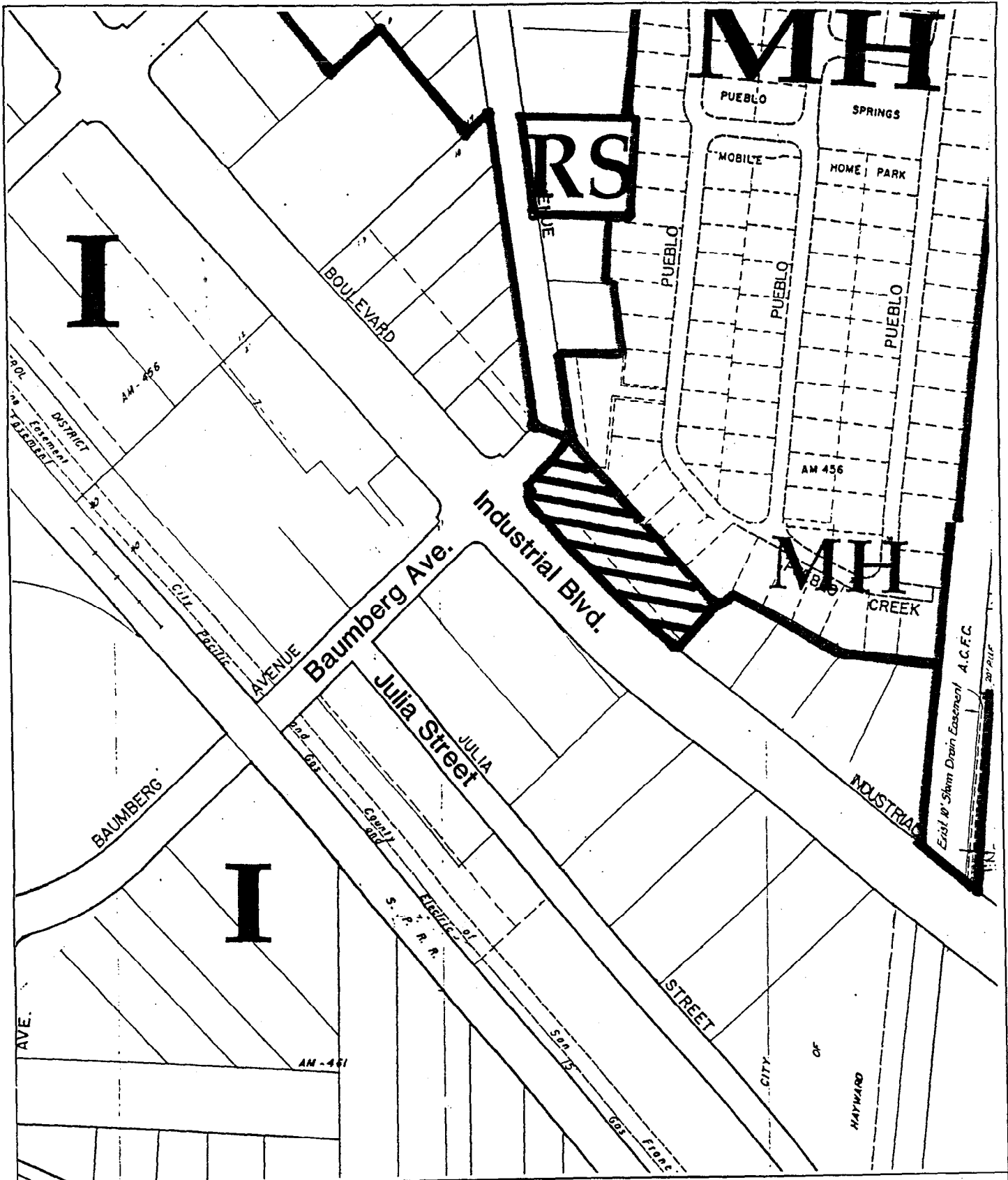

James V. De Luz, Assistant Planner

Recommended by:


for Dyana Anderly, AICP
Development Review Services Administrator

Attachments:

- A. Area/Zoning Map
 - B. Findings for Approval
 - C. Conditions of Approval
- Development Plans



ZONING/AREA MAP ■ UP 99-160-02

Timothy Higgins/Quick Response Fire Systems
27910 Industrial Blvd.

FINDINGS FOR APPROVAL
Use Permit Application 99-160-02
Timothy Higgins/Quick Response Fire Systems, Inc
27910 Baumberg Avenue

1. That the Quick Response Fire Systems, Inc. project as conditioned, is desirable for the public convenience or welfare in that a fire sprinkler contractor's warehouse and business office located within an existing industrial building abutting a mobile home park and a nonconforming single-family residential area is more compatible with adjacent residential and industrial activities in the area than other more intensive industrial activities;
2. That the Quick Response Fire Systems project as conditioned will not impair the character and integrity of the Industrial District or the Mobile Home Park District in that approval of the applicant's request to locate his business within an existing industrial building will require the applicant to improve the property to conform with the City's Minimum Design and Performance Standards for the Industrial District, that the addition of new landscaping, frontage improvements, fencing, parking modifications, drainage improvements and building improvements will enhance the property and the surrounding area;
3. That the project as conditioned will not be detrimental to the public health, safety, or general welfare in that the applicant will be required to conform with all Uniform Building, Fire and related code requirements, that the applicant will be required to conform with and install all the recommendations and improvements of City staff and that the applicant must conform with all conditions of the use permit including prohibition to the use of the unimproved vacant area at the south side of the property, that the business is restricted to operating during normal business hours, that prior to occupancy of the building the property must be cleared of all construction debris and other materials stored about the property;
4. That the project as conditioned will be in harmony with applicable City policies including the City's Design Guidelines, the Glen Eden Neighborhood Plan and the Industrial Development Minimum Design and Performance Standards in that the applicant is required to relandscape existing planting areas, construct street improvements, install lighting and fencing, and make building improvements.

CONDITIONS OF APPROVAL
Use Permit Application 99-160-02
Timothy Higgins/Quick Response Fire Systems, Inc
27910 Baumberg Avenue

1. Use Permit Application No. 99-160-02 is approved subject to the specific conditions listed below. This permit becomes void on March 25, 2000, unless prior to that time a building permit has been accepted for processing by the Building Official, or a time extension is approved. A request for a one-year extension must be submitted to the Development Review Service Division 15 days prior to the above date.
2. All improvements indicated on the site plan labeled Exhibit "A" shall be installed prior to occupancy of the building.
3. Prior to issuance of a building permit the applicant shall:
 - a. Submit a plan of the exterior building modifications/improvements to the Director of Community and Economic Development/Planning Director for review and approval. The plan shall include either samples of the building color coat or a painting plan. Colors shall complement the third floor former security residence or the entire building shall be color coated or painted a complementary color scheme.
 - b. Submit a revised parking lot plan to the Director of Community and Economic Development/Planning Director to reflect the revisions to the parking spaces located adjacent to the Baumberg Avenue frontage including relocating the 6-inch concrete curb, repair and repaving the parking lot to the satisfaction of the City Engineer and relocation of the handicap parking space closer to the building entry area as indicated on the site plan labeled Exhibit "A".
 - c. Submit a complete set of construction documents including property survey, architectural/structural and/or electrical/mechanical plumbing/plans, calculations and specifications where possible.
 - d. Submit a site drainage plan including the design of a fossil filter system.
 - e. Submit a detailed landscape and irrigation plan prepared by a licensed landscape architect for the review and approval by the City Landscape Architect. Landscaping and irrigation shall comply with the City's *Water Efficient Landscape Ordinance*.
 - i. In addition to the existing trees, two 24-inch box street trees are required on Baumberg Avenue and five 24-inch box street trees are required on Industrial Boulevard. Tree species shall be approved by the City and planted according to City Standard Detail SD-122.

- ii. 15-gallon redwood trees shall be planted a minimum of 20 feet apart along the southeast property line adjacent to the residential area. Trees may be planted in 5-foot tree wells where paving exists.
 - iii. A curbed planter with shrubs and vines shall be incorporated along the sides and rear of the trash enclosure.
 - iv. Additional shrub plantings shall be incorporated along street frontages to screen parking and loading areas. The type and spacing of shrubs shall create a continuous 30-inch high hedge within two years. A tall hedge shall be planted on the street side of the chain link fence.
 - v. Noia pebbles shown on the Conceptual Planting Plan shall be replaced with vegetative groundcover.
 - vi. All turf areas shall be sodded.
 - vii. All above ground utilities and mechanical equipment shall be screened from view with shrubs.
 - f. Submit a complete site fencing plan to the Director of Community and Economic Development/Planning Director. Fencing shall be setback a minimum of 10 feet from the Industrial Boulevard property line and chainlink fencing shall be color coated black or dark green including slats for screening. Fencing shall be installed around the building to prohibit access from the improved side to the unimproved south side.
 - g. Submit a trash enclosure design to the Director of Community and Economic Development/Planning Director that shall incorporate masonry block construction and solid wood or masonry gates and landscaping for screening. Proposed dimensions and design of the enclosures shall comply with the City's Recycling Ordinance and shall contain provisions for trash and recycling facilities such as a trash dumpster and recycling carts.
 - h. Submit a comprehensive sign plan for the building to the Director of Community and Economic Development/Planning Director for approval.
 - i. Submit a comprehensive lighting plan to the Director of Community and Economic Development/Planning Director for approval. Lighting shall be designed by a qualified lighting engineer and shall be arranged to reflect away from adjacent properties. Lighting shall conform with the City's Security Ordinance, which requires a minimum of one-candle foot at ground level during hours of darkness. If light standards are proposed, standards shall be in proportion to the scale of the building and buildings on adjacent properties.
4. Prior to occupancy the applicant shall:
- a. Repair and repave the parking lot and modify parking spaces as indicated on the site plan labeled Exhibit "A". All repairs shall be done to the satisfaction of the City Engineer.

- b. All existing trees on the property shall be pruned and shaped and the landscape modifications along Industrial Boulevard and Baumberg Avenue shall be completed to the satisfaction of the City Landscape Architect.
 - c. Install curb, gutter, sidewalk and tie-in pavement along the entire Baumberg Avenue and Industrial Boulevard frontages where not yet existing.
 - d. Install a wheel chair ramp at the intersection of Baumberg Avenue and Industrial Boulevard.
 - e. Submit a street improvement plan and a drainage plan for approval by the City Engineer and dedicate 9 feet of property frontage on Baumberg Avenue.
 - f. Install "No Parking" signs (R26) along the Industrial Boulevard frontage.
 - g. Install fire sprinklers per NFPA standards and to the satisfaction of the Fire Marshal if interior improvements or modifications exceed 50 percent of the assessed value of the building. NFPA 231-d standards shall apply for racks or storage in excess of 5-feet in height. Indicate height of storage racks or other devices to determine fire sprinkler density. An annual high pile storage permit shall be obtained from Fire Prevention. Fire extinguishers shall be installed within the building as required. Minimum 6-inch address numerals shall be installed on the building that are visible and legible from the street. A Hazardous Storage permit shall be required if hazardous materials are stored within the building.
 - h. Submit an on-site recycling plan to the City's Solid Waste Manager to be implemented prior to occupancy.
5. Outdoor storage shall be prohibited on-site. Sprinkler fabrication or related activity outside the building shall be prohibited.
6. All applicable requirements of the City's Security Ordinance shall be met.
7. Landscaping shall be maintained in a healthy, weed-free condition at all times. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% die-back) shall be replaced within ten days of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to Municipal Code.

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8. The property owner shall maintain in good repair all building exteriors, walls, lighting, landscaping, trash enclosures, drainage facilities, driveways, and parking areas. The premises shall be kept clean and any graffiti shall be painted or removed within seven days of occurrence.
9. Hours of operation shall be limited to normal business hours of 7:00 A.M. to 5:00 P.M. Monday through Friday.
10. The installation of roof mounted equipment shall require Planning Director approval and shall be adequately screened from view.
11. Prior to authorization for occupancy, including authorization for gas and electric meter service, staff shall ensure that the use arrangement, construction, and improvements are in conjunction with the plans approved through verification of zoning compliance procedures.
12. Violation of these conditions is cause for revocation of the use permit at a public hearing before the duly authorized review body.